

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,))
Plaintiff,)
v.))
RESERVE MANAGEMENT COMPANY, INC., RSERVE PARTNERS, INC., BRUCE BENT, SR. and BRUCE BENT II.) NO. 09 Civ. 4346 (PGG)) ECF CASE
Defendants,))
and))
THE RESERVE PRIMARY FUND,))
Relief Defendant.)))

AFFIDAVIT OF JOHN STRATTON IN SUPPORT OF UNOPPOSED EMERGENCY MOTION FOR PROTECTION

- I, John Stratton, affirm and state as follows:
- 1) On or about September 6, 2012, the Defendants issued a subpoena to me for trial testimony in the above-captioned case for the period October 1, 2012, and continuing (the "Subpoena"). My counsel, Sean Carnathan, accepted service of the Subpoena on my behalf.
- I was employed by State Street Bank and Trust Company from October, 2000 to April 2, 2012. I reside in Reading, MA.
- 3) The Subpoena states that I should appear for trial testimony on October 1, 2012. I understand that the trial is scheduled to commence on October 9, 2012 and continue for several weeks thereafter.

- 4) I am not available to testify October 22 through October 29, 2012. I will be on a previously planned trip to South Carolina with approximately 30 family members and friends between October 22 and October 29, 2012.
- 5) Requiring me to appear in New York City to testify on the dates on which I am unavailable, as set forth above, would subject me to undue burden and expense.
- 6) Accordingly, I seek an order from the Court protecting me from testifying on the foregoing dates on which I am not available.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Reading, Massachusetts September 28, 2012

John Stratton

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